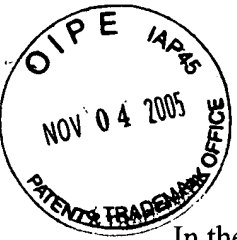


DFW

PATENT  
Docket No. 564682000100



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Lutz BIEDERMANN et al.

Serial No.: 10/763,431

Filing Date: January 22, 2004

For: BONE SCREW

Examiner: David Owen Reip

Group Art Unit: 3732

**SUPPLEMENT TO FOURTH PRELIMINARY AMENDMENT**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Further to the Fourth Preliminary Amendment filed October 20, 2005, applicants note that claims 43-58 are also generally supported by Fig. 1 of this application and are supported for the reasons that the claims previously pending in this application are supported. Claims 43-58 are likewise entitled to the priority of applicants' November 10 and December 27, 2000, German filing dates, as shown by the sworn translations of record.

Applicants are filing this paper because the Fourth Preliminary Amendment referred only to support for claims 59 and 60 and inadvertently omitted reference to support for claims 43-58. As always, applicants' undersigned attorney stands ready to provide any explanations for the support for all of the claims in this application the Examiner may require in the course of examining this application.

Applicants understand that this application is now before the Examiner to be examined. In order to avoid encumbering the Examiner, applicants will not be filing a supplement to their Request for Declaration of Interference in the form of a supplemental suggestion under 37 CFR

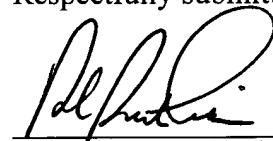
41.202 until the Examiner has had the chance to act on the claims pending in this application. The Request for Declaration of Interference already of record is ample to make applicants' position regarding the propriety of declaring an interference with Carbone application Serial No. 10/091,068 known to the Examiner.

In the event that the transmittal letter is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief is required, applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952, referencing Docket No. 564682000100.**

Respectfully submitted,

Dated: November 4, 2005

By:



Barry E. Bretschneider  
Registration No. 28,055

Morrison & Foerster LLP  
1650 Tysons Boulevard, Suite 300  
McLean, VA 22102  
Telephone: (703) 760-7743  
Facsimile: (703) 760-7777